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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JAE JEONG LYU,  
Petitioner,  
v.  
ROBERT LUNA,  
Respondent.

Case No. 2:23-cv-08178-JVS-KES

ORDER DISMISSING ACTION FOR  
FAILURE TO PROVIDE POST-RELEASE  
ADDRESS

In September 2023, Jae Jeong Lyu (“Petitioner”) filed a pro se Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254. (Dkt. 1.) In November 2023, the Petition was dismissed due to Petitioner’s failure to pay the initial filing fee. (Dkt. 4.) On December 1, 2023, the Court received Petitioner’s \$5 filing fee, prompting the reopening of his case. (Dkt. 5, 6.)

On December 20, 2023, the Court issued an Order to Show Cause (“OSC”) why the Petition should not be dismissed without prejudice (Dkt. 7) and a related order taking judicial notice of records from Petitioner’s underlying state criminal cases (Dkt. 8.) These orders were served by mail sent to Petitioner’s address of record, Los Angeles County’s Men’s Central Jail (“MCJ”). On January 8, 2024,

1 both pieces of mail were returned to the Court as “undeliverable” with a note that  
2 Petitioner had been released from MCJ. (Dkt. 9, 10.)

3 Under Local Rule 41-6, “A party proceeding pro se must keep the Court and  
4 all other parties informed of the party’s current address as well as any telephone  
5 number and email address. If a Court order or other mail served on a pro se plaintiff  
6 at his address of record is returned by the Postal Service as undeliverable and the  
7 pro se party has not filed a notice of change of address within 14 days of the service  
8 date of the order or other Court document, the Court may dismiss the action with or  
9 without prejudice for failure to prosecute.”

10 Here, the service date of Dockets 9 and 10 was December 20, 2023. More  
11 than 14 days has passed since December 20, but Petitioner has not filed a notice of  
12 change of address. Without a current mailing address, the Court cannot  
13 communicate with Petitioner. This action is therefore dismissed without prejudice  
14 consistent with Local Rule 41-6.

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17 DATED: January 23, 2024

  
JAMES V. SELNA  
UNITED STATES DISTRICT JUDGE

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20 Presented by:

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23 Karen E. Scott  
24 United States Magistrate Judge  
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